

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

STATE OF TEXAS, et al., §
Plaintiffs, §
v. § Case No. 6:24-cv-507-JDK
UNITED STATES NUCLEAR §
REGULATORY COMMISSION, §
Defendant. §

ORDER

Before the Court is Defendant's motion to dismiss Plaintiffs' original complaint pursuant to several grounds under Rule 12(b). Docket No. 9. Twenty-one days after Defendant filed its motion, Plaintiffs filed an amended complaint. Docket No. 10; *see also* FED. R. CIV. P. 15(a)(1)(B) (stating that a party "may amend its pleading once as a matter of course no later than . . . 21 days after service of a motion under Rule 12(b)").

Accordingly, because of Plaintiff's amended complaint, Defendant's motion to dismiss the original complaint (Docket No. 9) is **DENIED** as moot. *See, e.g., Boelens v. Redman Homes, Inc.*, 759 F.2d 504, 508 (5th Cir. 1985) ("[A]n amended complaint ordinarily supersedes the original and renders it of no legal effect, unless the amended complaint specifically refers to or adopts the earlier pleading.").

So ordered and signed on this

Apr 8, 2025



JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE